

REGULAR MEETING  
BOROUGH COUNCIL  
MALVERN BOROUGH  
1 East First Avenue  
Malvern, PA 19355

February 21, 2017  
7:30 P.M.

PRESIDING: Council Vice-President Uzman

INVOCATION: David B. Burton, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

1. ROLL CALL: Council President Bramwell (Absent)  
Council Vice-President Uzman  
Council Member Arena  
Council Member Grossman  
Council Member Lexer  
Council Member Meisel  
Council Member Sinquett  
Mayor Burton

2. RECORDING OF MEETING:

Council Vice-President Uzman asked in accordance with Resolution No. 714 if any member of the audience was recording the meeting.

No audience member identified themselves as recording the meeting.

3. PUBLIC FORUM:

Council Vice-President Uzman informed all present that copies of the agenda are available at the front entrance. Citizens/taxpayers were advised that Public Forum is the time to offer comments to bring any issues/concerns before Council that are not on the agenda.

a. Joseph Ranaudo, 176 West King Street – Apt. 202B, asked what commercial business is currently setting up in Eastside Flats. Borough Manager Bashore stated a virtual golf company is moving into the space next to Christopher's restaurant.

4. APPROVAL OF MINUTES:

A motion was made by Council Member Arena, seconded by Council Member Sinquett and carried by a vote of 6-0, to approve the minutes of the meeting held on Tuesday, January 17, 2017 and Tuesday, February 7, 2017 as submitted.

5. APPROVAL OF REPORTS:

A motion was made by Council Member Arena, seconded by Council Member Grossman and carried by a vote of 6-0 to approve the Treasurer's Report, the Committee Reports for Finance & Administration, Public Safety, Public Works and the Chief of Police Report, the Code Enforcement and Zoning Officer's Reports (Building Inspector's Report, Housing and Property

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Maintenance Report, and Zoning Report), the Superintendent of Public Works Report, and the Manager's Report for the month of January 2017, as submitted.

6. BOROUGH COUNCIL COMMITTEE REPORTS:

a. Finance & Administration

Borough Manager Bashore stated the Finance and Administration Committee had not met since the January 17, 2017 meeting of Borough Council.

b. Public Safety

Borough Manager Bashore stated the Public Safety Committee met on February 7, 2017. This meeting served as the kick-off meeting for the Borough's multimodal transportation study being funded through the Vision Partnership Program grant awarded from Chester County. John Yurick, P.E., the Borough Traffic Engineer, provided a PowerPoint presentation outlining the procedures from the project.

c. Public Works

Borough Manager Bashore stated the Public Works Committee met on January 17, 2017. Matters before the Committee included the N. Warren Avenue Transit Safety Project, the Ruthland Avenue Pump Station Upgrade, the recent inspection of the bridge on Bridge Street prepared by Ingram Engineering Services, and the upgrade of the HVAC system for Borough Hall.

7. PUBLIC HEARING (CONTINUED):

Council Vice-President Uzman announced that Borough Council shall continue the public hearing pursuant to section 211 of the Malvern Borough Home Rule Charter in order to determine, via resolution, whether Council President David Bramwell forfeited his office as a member of Borough Council for cause pursuant to section 211.A(4) of the Malvern Borough Home Rule Charter.

a. RESOLUTION NO. 728 – DETERMINATION ON WHETHER COUNCIL PRESIDENT DAVID BRAMWELL FORFEITED HIS OFFICE FOR CAUSE PURSUANT TO SECTION 211.A(4) OF THE MALVERN BOROUGH HOME RULE CHARTER

Council Vice-President Uzman called for a vote for retaining Council President Bramwell:

Council Member Arena –	YAY	Council Member Sinquett –	NAH
Council Member Grossman –	YAY	Council Vice-President Uzman –	NAH
Council Member Meisel –	YAY		
Council Member Lexer –	YAY		

A motion was made by Council Member Meisel, seconded by Council Member Grossman and carried by a vote of 4-2 to adopt Resolution No. 728, a Resolution for the Borough of Malvern regarding the Public Hearing conducted on February 7, 2017 in the matter of absences of Borough Council President, David Bramwell.

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8. RESOLUTION NO. 729 – DEDICATION OF ROOMS IN MALVERN BOROUGH HALL:

A motion was made by Council Member Lexer, seconded by Council Member Arena and carried by a vote of 6-0, to approve Resolution #729, dedicating rooms on the third floor of Malvern Borough Hall to Norman H. Heintzelman, Josiah Hibberd, George N. Highley, and Fred H. Thomas.

9. PUBLIC HEARING – ORDINANCE NO. 2017-1 – OFFICIAL MAP:

Council Vice-President Uzman announced that Borough Council will open the public hearing to Ordinance No. 2017 – 1, re-adopting the Official Map for the Borough of Malvern. The Notice of Public Hearing was published in the Daily Local News on February 9, 2017 and February 14, 2017 as required.

There being no comments made by the public, Council Vice-President Uzman closed the public hearing.

10. ORDINANCE NO. 2017-1 OFFICIAL MAP:

A motion was made by Council Member Sinquett, seconded by Council Member Lexer and carried by a vote of 6-0, to adopt Ordinance No. 2017-1, re-adopting the Official Map of the Borough of Malvern as originally adopted on December 15, 2015 pursuant to Ordinance No. 2015-7.

11. OLD BUSINESS:

- a. Ordinance NO. 2016-2: Issuance of Non-Electoral Debt

Council Vice-President Uzman tabled discussion for the item.

- b. Randolph Woods Ad Hoc Committee

A motion was made by Council Member Lexer, seconded by Council Member Sinquett and carried by a vote of 6-0, to appoint John Butow to serve on the Randolph Woods Ad Hoc Committee.

12. NEW BUSINESS:

- a. Borough Facility Use Policy

Borough Manager Bashore stated the policy incorporates an application to be completed by organizers wanting to use the Borough Meeting Room and conference room. The policy makes requests for use of facilities to be in writing and be submitted to the Borough Administration office. The policy provides for organizers to not interfere with Borough activity or operations and shall, at all times, be subject to the conveniences, requirements, and activities

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of the Borough. The Borough believes that a fee is appropriate, in some circumstances, to recover the Borough's costs. The Borough reserves the right to refuse any application for cause.

Council Member Grossman asked if the policy would apply to Borough-sponsored organizations, such as the volunteer boards and committees. Borough Manager Bashore stated the policy is for non-borough sponsored organizations, such as for-profit companies looking for rental space.

Council Vice-President Uzman inquired if there are any fees associated with the policy. Borough Manager Bashore stated there is a \$100.00 refundable fee, if the room(s) are left in a clean and functional manner. If there are carpet stains or furniture broken, than all or a portion of the \$100.00 fee would be deducted for carpet cleaning or furniture repairs.

A motion was made by Council Member Sinquett, seconded by Council Member Arena and carried by a vote of 6-0, to authorize Borough Administration to enact the Borough Facility Use Policy.

### b. Zoning Hearing Board

Borough Manager Bashore stated there are no new applications pending for the Zoning Hearing Board. The hearing for the variance application for 156 West King Street, reviewed by Borough Council at the February 7, 2017 meeting, will be heard on February 22, 2017 at 7:00 pm. Pending the receipt of applications, the next scheduled meeting date for the Zoning Hearing Board will be March 27, 2017 at 7:00 pm.

### c. Classic Towns Plaque

Borough Manager Bashore stated the Delaware Valley Regional Planning Commission, the organization that administers the Classic Towns Program, sent the Borough a plaque recognizing it as a Classic Town. The plaque will be hung in the hallway near the Borough Administration office.

## 13. ADJOURMENT:

At 7:53 p.m. Council Vice-President Uzman stated Council will adjourn to Executive Session to discuss legal and personnel matters.

Council Vice-President Uzman reconvened the public meeting at 8:40 p.m.

All business having been discussed, a motion was made by Council Member Arena, seconded by Council Member Grossman and carried by a vote of 6-0 to adjourn the meeting at 8:42 p.m.

Respectfully submitted,

Neil G. Lovekin  
Assistant Secretary